

Message Text

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44

ACTION EUR-12

INFO OCT-01 IO-04 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-03 H-01 INR-05 L-01 NSAE-00 NSC-05

PA-01 RSC-01 PRS-01 SP-02 SS-15 CU-02 OIC-02 ACDA-05

SAJ-01 SAM-01 NIC-01 AEC-05 AECE-00 TRSE-00 /069 W

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O 060700Z NOV 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 9038

C O N F I D E N T I A L GENEVA 6524

FOLLOWING SENT ACTION SECSTATE, BONN INFO LONDON, PARIS, BERLIN,
OCTOBER 24, REPEATED FOR YOUR ACTION PER STATE 241920:

QUOTE C O N F I D E N T I A L GENEVA 6524

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: FOUR POWER RIGHTS LANGUAGE

1. FRENCH REP INFORMED NATO BASKET I CAUCUS OCTOBER 23 THAT
HIS DELEGATION PLANNED TO TABLE BONN GROUP TEXT ON THIS SUBJECT
IN VERY NEAR FUTURE (PLANS TO TABLE OCTOBER 24 WERE SIDE-
TRACKED BY UNSPECIFIED FRANCO-GERMAN DIFFICULTIES OVER ANOTHER
PASSAGE IN PARAGRAPH 10 OF FRENCH DRAFT PROPOSED DECLARATION).

2. IN OUR VIEW THERE IS SOME DISCREPANCY BETWEEN ENGLISH
VERSION ON THE ONE HAND AND FRENCH AND GERMAN VERSIONS ON THE
OTHER. ENGLISH TEXT WHICH FRENCH REP INTENDS TO TABLE IS
IDENTICAL TO THAT CONTAINED IN BONN 12710 AND READS:

BEGIN TEXT:

"...CANNOT AND WILL NOT AFFECT THE RIGHTS HELD BY THE
PARTICIPATING STATES OR THE BILATERAL OR MULTILATERAL TREATIES,
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AGREEMENTS, AND ARRANGEMENTS IN ACCORDANCE WITH

INTERNATIONAL LAW, WHICH HAVE BEEN ENTERED INTO BY
THE PARTICIPATING STATES OR WHICH CONCERN THEM".
END TEXT.

WE ASSUME THAT PHRASE "...IN ACCORDANCE WITH INTER-
NATIONAL LAW" WOULD BE INTERPRETED AS MODIFYING
"TREATIES, AGREEMENTS, AND ARRANGEMENTS".

3. HOWEVER, IN FRENCH AND GERMAN TEXTS, PHRASE "...IN
ACCORDANCE WITH INTERNATIONAL LAW" APPARENTLY RELATES
ONLY TO "ARRANGEMENTS"). THE FRENCH TEXT READS AS
FOLLOWS:

BEGIN TEXT:

"LES ETATS PARTICIPANTS CONSTATENT QUE LA PRESENTE
DECLARATION NE PEUT AFFECTER ET N'AFFECTERA PAS LES
DROITS QUE DETIENNENT LES ETATS PARTICIPANTS, NON PLUS
QUE LES TRAITES ET LES ACCORDS, AINSI QUE LES
ARRANGEMENTS CONFORMES AU DROIT INTERNATIONAL,
BILATERAUX OU MULTILATERAUX, ANTERIEUREMENT SOUSCRITS
PAR EUX OU QUI LES CONCERNENT". END TEXT.

GERMAN TEXT READS AS FOLLOWS:

BEGIN TEXT:

"...KANN UND WIRD DIE RECHTE DER TEILNEHMERSTAATEN
ODER DIE VON IHNEN GESCHLOSSENEN ODER SIE BETREFFENDEN
SWEI-ODER MEHRSEITIGEN VERTRAEGE, ABKOMMEN UND IN
EINKLANG MIT DEM VOELKERRECHT STEHENDEN VEREINBARUNGEN
NICHT BERUEHREN". END TEXT. ABRAMS UNQUOTE DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS, BASKET I
Control Number: n/a
Copy: SINGLE
Draft Date: 06 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974GENEVA06524
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740318-0721
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741167/aaaaceyu.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: MartinML
Review Comment: n/a
Review Content Flags:
Review Date: 30 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 APR 2002 by rowelle0>; APPROVED <26 MAR 2003 by MartinML>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CSCE: FOUR POWER RIGHTS LANGUAGE
TAGS: PFOR, XG, CSCE
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005